

IN THE MATTER OF	*	BEFORE THE
LAKIRA WHITAKER, PHARM TECH	*	STATE BOARD
Registration No.: T08517	*	OF
Respondent	*	PHARMACY
	*	Case No. : PT-15-023

\* \* \* \* \*

### **ORDER FOR SUMMARY SUSPENSION**

Pursuant to Md. State Gov't (SG) Code Ann. §10-226 (c) (2) (2014 Repl. Vol. II), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician (Pharm Tech) in Maryland issued to **LAKIRA WHITAKER**, (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. (H.O.) Code Ann. §§ 12-101 *et seq.*, (2014 Repl. Vol. II.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

### **INVESTIGATIVE FINDINGS**

1. At all times relevant hereto, the Respondent was registered as a Pharmacy Technician. The Respondent was first registered on January 25, 2011. The Respondent's registration expires on June 30, 2016.
2. At all times relevant hereto, the Respondent worked as a Pharmacy Technician for a National chain pharmacy located in Baltimore County, hereinafter "Pharmacy A".
3. On or about May 29, 2015, the Board received information from Pharmacy A regarding an initial notification of controlled substance theft or loss. Specifically, an

employee was found with generic Tylenol #3 during a bag check, Subsequently, the Board received the following information regarding that loss/theft:

- A. On May 29, 2015, the store manager of Pharmacy A called the Baltimore County Police Department regarding a theft;
- B. The responding Officer was told by the manager that, when she searched the Respondent's pocketbook, she found a bottle of Tylenol #3, 300 mg/30mg<sup>1</sup>.
- C. The manager found a large amount of prescription medications in the Respondent's coin purse, as follows:

(1)	Clonazepam, 2 mg <sup>2</sup>	91 tablets;
(2)	Lorazepam, 2mg <sup>3</sup>	41 tablets;
(3)	Tylenol #3w.codeine 300/30	15 tablets;
(4)	Diazepam <sup>4</sup> , 10 mg	45 tablets;
(5)	Tylenol #3 w/codeine 300 mg/30mg	48 tablets;
(6)	Alprazolam, 2 mg <sup>5</sup>	1 tablet;
(7)	Lorazepam, .05 mg	1 tablet.

- D. The Officer requested assistance from the detectives of the Narcotics Unit. A detective of that Unit arrived and asked the Respondent if he could interview her, to which she consented: The following information was gathered from the interview:

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<sup>1</sup> Tylenol #3, with codeine in the generic form is composed of acetaminophen, codeine and caffeine. Acetaminophen belongs to the group of medications called *analgesics* (pain relievers) and *antipyretics* (fever reducers). Codeine belongs to the group of medications called *narcotic analgesics*. Caffeine belongs to the group of medications called *stimulants*. This combination of medications is used to treat mild-to-moderate pain associated with conditions such as headache, dental pain, muscle pain, painful menstruation, pain following an accident, and pain following operations.

<sup>2</sup> Clonazepam treats seizures, panic disorder, and anxiety.

<sup>3</sup> Lorazepam treats anxiety, anxiety with depression, and insomnia (trouble sleeping). This medicine is a benzodiazepine.

<sup>4</sup> Diazepam treats anxiety, muscle spasms, seizures, and other medical conditions. This medicine is a benzodiazepine

<sup>5</sup> Alprazolam treats anxiety and panic disorder.

- (1) The Respondent claimed that she was dealing with stressful issues in her life, and started self-medicating with pills given to her by her friends;
- (2) The Respondent stated that, as a result, she started stealing pills from Pharmacy A;
- (3) The Respondent stated that thefts began a month ago, with the first theft being a 100 count bottle of Lorazepam;
- (4) The Respondent was not sure how many types and amounts of pills she stole, but remembered Clonidine<sup>6</sup> and Xanax<sup>7</sup>;
- (5) The Respondent claimed that she consumed some of the stolen drugs to help her deal with issues she was having.

- E. The CDS which the Respondent stole has a street value from \$1437-\$3050;
- F. The Respondent signed a promissory note to Pharmacy A for \$128.45;
- G. The Respondent was terminated from employment with Pharmacy A on May 29, 2015.

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<sup>6</sup> Clonidine treats high blood [pressure, A lower blood pressure can reduce the risk of strokes and heart attacks. It also treats attention-deficit hyperactivity disorder (ADHD), and belongs to a class of drugs called antihypertensives.

<sup>7</sup> Xanax, also known as Alprazolam, is used to treat anxiety and panic disorder.

- H. The Respondent was arrested and charged in the District Court for Baltimore County with several theft and drug charges;
- I. Subsequently, the Respondent was indicted in the Circuit Court for Baltimore County for 12 counts, including CDS possession, theft scheme and theft.

4. As set forth above, an individual who steals drugs from her pharmacy employer to self-medicate and otherwise uses the drug is a danger to the public health, safety and welfare.

### **CONCLUSIONS OF LAW**

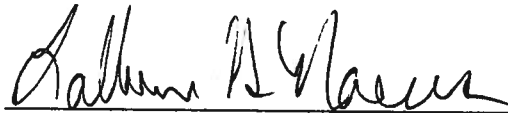
Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to SG §10-226 (c) (2).

### **ORDER**

Based on the foregoing, it is therefore this 30<sup>th</sup> day of July, 2015, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by SG §10-226 (c) (2), the registration held by the Respondent to practice as a Pharmacy Technician in Maryland, Registration No. T08517, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that, upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued, regarding the Respondent's fitness to practice as a Pharmacy Technician and the danger to the public; and be it further

ORDERED that this document constitutes a final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. Code Ann. General Provisions §§4-101 *et seq.* (2014 Vol.).

A handwritten signature in black ink, appearing to read "Laverne G. Naesea", is written over a horizontal line.

Laverne G. Naesea, Executive Director  
Board of Pharmacy

#### **NOTICE OF HEARING**

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.